

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
Norfolk Division

SUZANNE KUNTZE,

Plaintiff,

v.

Case No.: 2:18cv38

JOSH ENTERPRISES, INC., d/b/a,  
JACKSON HEWITT TAX SERVICE,

Defendant.

ORDER

This matter is before the Court on Plaintiff's motion for settlement approval. ECF No. 30. The parties initially filed a joint motion for settlement approval on May 15, 2019. ECF No. 26. In a Memorandum Opinion filed on May 20, 2019, the Court found that, based on the agreed settlement terms, the settlement was a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act ("FLSA"), but it denied the motion for approval because the Court had not been provided with any information by which it could determine the reasonableness of the requested attorneys' fees. ECF No. 29. On June 10, 2019, Plaintiff refiled the motion for settlement approval, ECF No. 30, and, in response to the Court's Memorandum Opinion, filed a supplemental memorandum that provided some information about attorneys' fees, ECF No. 31. However, Plaintiff failed to provide any evidence to meet Plaintiff's burden to prove the requested fees were

reasonable. On June 17, 2019, the Court filed an Order that instructed Plaintiff's counsel to submit evidence in support of his request for attorneys' fees by Friday, June 21, 2019 at noon and took the matter under advisement until that time. ECF No. 32. On that same day, Plaintiff's counsel complied with the Court's Order and filed an affidavit from himself detailing his experience in employment law, a copy of the fee agreement between himself and Plaintiff, and official documentation of the hours he spent working on this case. ECF No. 33. In light of this evidence, the Court finds that the requested attorneys' fees award of \$6,387 is fair and reasonable.

Accordingly, the Court hereby **GRANTS** the refiled motion for settlement approval, ECF No. 30, and **APPROVES** the parties' proposed settlement agreement, ECF No. 30-1. As the settlement agreement provides for the release of the claims between the parties, this Court further **ORDERS** that this action is **DISMISSED WITH PREJUDICE**.

The Clerk is **REQUESTED** to send a copy of this Order to all counsel of record.

**IT IS SO ORDERED.**

/s/ 

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Mark S. Davis  
CHIEF UNITED STATES DISTRICT JUDGE

Norfolk, Virginia  
June 19, 2019